

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
 Date of Meeting: October 1, 2014
 Time of Meeting: 6:30 pm
 Minute Page No: Page 2 of 23

Agenda No. IX

Discussion Items

1.	<p>Ordinance: Proposed Changes to Chapter 135 – Fees – Administrator Gabbert said there are proposed fee increases from various departments. If adopted the fees would increase in 2015. The impact will be seen in 2016. In most cases the items are minor increases or limited by state statute. There are a couple of larger increases. He brought their attention to filming which represents a significant increase. Many increases are related to increased costs such as proposed by the health department. He asked Council to get comments to him. Councilwoman Horton asked if the filming fee is per day or per movie. Mr. Gabbert said he is proposing to increase the fee to \$500 per day. The fee is waived for non-profits and would continue to be \$25 for students. This is a fee for the disruption to the municipality such as police, barricades, and dealing with resident complaints. Councilwoman Horton asked if this impedes economic development and if the proposed increase compares favorably to fees charged by surrounding municipalities. Administrator Gabbert said he will research that matter. Councilwoman Erik asked if the fee includes all costs and Administrator Gabbert said no that if police are necessary there are additional costs. Councilwoman Horton said the fee for clothing bins could be larger. Councilman Signorino disagreed saying that people make a living from recycling old clothing. Administrator Gabbert said the current fee is \$25 per year. If just one time DPW has to clean up an area or zoning has to check the site the Township’s expenses exceed the license fee. Councilwoman Dale does not want fees for the firearms range raised because the police department uses that facility. Councilwoman Erik noted that the fee is waived for the range used by police. Councilman Signorino said he does not support increases to the pool & billiard licensing fees. He does not see the need for a fee at all and Councilman Hensley agreed. He suggests waiving the fee for that altogether. This negatively affects business and there is also a table fee. Administrator Gabbert said he will look into those. Councilwoman Dale asked if we have a daily rate for use of Bubbling Springs saying she would like to see a per day fee. The Council supported that suggestion. Councilman Signorino said we have arcades and he does not want these fees raised. He wants them lowered. He would rather kids be in arcades than on the street. Councilman Hensley said that he appreciates attempts to raise revenue but these proposed fee increases are a tax on our citizens. Mayor Bieri said the fees are for specific services that are not used by all residents. Councilwoman Dale asked if there was a formula for these proposed increases. Are these fees competitive with other municipalities? Administrator Gabbert said that in the majority of the cases it has been a number of years without increases. Municipal costs have increased during that time. Health increases are simply to cover the fixed costs. In other cases the proposed increases reflect the maximum allowed by statute. There were also some arbitrary increases. There is no major gouging going on. There will be no impact on 2015 budget and impact on 2016 budget will not be gigantic but this is a time of declining revenue. Councilwoman Horton asked what one gets for an arcade license. Administrator Gabbert said that these facilities warrant police, health & zoning time. There is staff time that is not typical. Councilwoman Erik asked about dog licensing fee. Administrator Gabbert said there is a higher fee for animals not spayed or neutered. Councilman Hensley said he favors increasing health costs. He feels they have been losing money and we provide an over abundance of services. Councilman Signorino there are additional services being added to health. He asked where that came from. Councilwoman Erik said some are new state standards. She recalled that from budget discussions. Councilwoman Dale said that she wants details and Councilman Hensley said if it is not mandated Council should know that. Councilman Signorino said he would like to see the law that mandates these additional services. Administrator Gabbert said that he thinks we are not adding services but we are proposing to charge for services being offered. Mr. Semrau said that the Township outsources to do septic inspections. The Council could look at setting up escrow accounts from applicants who pay directly for these services. That could reflect a savings. Mayor Bieri said she did bring that up during the budget process and said we should follow up and get a proposal. She listed the benefits. Administrator Gabbert will get updated information and bring this subject back to Council at a future date. Mayor Bieri said we should consider a higher fee for unsprayed un-neutered cats and asked the Administrator to get comparisons from other towns.</p>
2.	<p>Resolutions: Animal Pledges – The Council gave consensus to proceed.</p>
3.	<p>Resolution: Rockland Electric Agreement – Administrator Gabbert explained that Rockland Electric has set up a program to help manage streetlights as outages are reported. This would manage response time. It takes an agreement to allow us access to their software program. This is a mechanism to notify them directly and monitor response. The Council gave consensus to proceed.</p>

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: October 1, 2014
Time of Meeting: 6:30 pm
Minute Page No: Page 3 of 23

Agenda No. III

Meetings

Mayor Bieri noted the future meeting schedule:

October 22, 2014 Regular Meeting November 12, 2014 Workshop/Regular Meeting
December 3, 2014 Workshop Meeting

Agenda No. IV

Executive Session

~ Resolution No. 2014 – 314 ~

MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Township Council of the Township of West Milford on the 1st day of October 2014 that:

1. Prior to the conclusion of this **Workshop Meeting**, the Governing Body shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):
 - () b. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
 - () b. (2) A matter in which the release of information would impair a right to receive funds from the Government of the United States.
 - () b. (3) Material the disclosure of which constitutes an unwarranted invasion of individual privacy.
 - () b. (4) A collective bargaining agreement including negotiations.
 - (X) b. (5) Purchase, lease or acquisition of real property, setting of banking rates or investment of public funds, where it could adversely affect the public interest if disclosed.
 - Potential property acquisition
 - (X) b. (6) Tactics and techniques utilized in protecting the safety and property of the public, if disclosure could impair such protection. Investigation of violations of the law.
 - Fire companies
 - (X) b. (7) Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling within the attorney-client privilege.
 - Attorney-Client Privilege – COAH
 - Litigation – Triple T v. West Milford
 - Contracts – Hillcrest Lease
 - () b. (8) Personnel matters.
 - () b. (9) Deliberations after a public hearing that may result in penalties.

2. The time when the matter(s) discussed pursuant to Paragraph 1 hereof can be disclosed to the public is as soon as practicable after final resolution of the aforesaid matter(s).

Adopted: October 1, 2014

Moved: Erik Seconded: Horton
Voted Aye: Unanimous voice vote.
Voted Nay: None.
Motion carried.

The Governing Body went into executive session at 7:08 p.m.
The Governing Body returned to the public meeting at 8:19 pm with all present as before.

Agenda No. V

Presentations

- Beautification and Recycling Committee (B&RC) – Awards and Successes, Jim Rogers, 56 Mountain Circle North, West Milford addressed the Council as a member of the B&RC. Mr. Rogers said he has been a West Milford resident for 36 years and has served on B&RC for the past few years. He has been asked to present to the Council & public an overview of tasks &

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: October 1, 2014
Time of Meeting: 6:30 pm
Minute Page No: Page 4 of 23

accomplishments of the past year. New welcome to West Milford signs can be seen at major arteries coming into town. They were installed and are being maintained by the B&RC & the EDC. Volunteers erected signs and maintain the area around each sign to present a beautiful community.

The "Adopt a Spot" program is long standing and gives residents & businesses an opportunity to take ownership and maintain cleanliness in their town. They have generated a pamphlet to give direction to interested parties. It has been very successful. One committee member, Laura, has been working on creating a guide for items that are recyclable. Sometimes there are questions as to what is & not recyclable. She has made a guide and the committee will be producing and distributing at it at ALF. If there is ever a question, go to the guide. It will be a valuable resource to residents.

The house beautiful program had been dormant for some time but it has recently been revived. Currently the B&RC has received eleven nominations and the winner will be recognized at a future Council meeting. B&RC members try to recognize institutions & residents who take recycling seriously. They have annual recycling awards. Recently they recognized Bill Messmer and will recognize Paradise Knoll students & staff at the 10/22 Council meeting. Through clean communities grants there has been focusing on educating people about recycling and all elementary schools have had this lesson. About a year ago there were letters about litter & debris on roads. The B&RC took great note and created "BARC" which is a subcommittee whose function is to identify those areas and clean up the debris. They wear yellow reflective jackets and have a BARC sign noting that they are citizen volunteers. Support them when you see them.

B&RC has conducted a survey of Township ball fields to assess needs for recycling & garbage cans. The biggest need is to have someone to help pick up the garbage. CS&R has policy of carry in and carry out. After careful consideration of all the issues B&RC agrees with that policy. It is a worthy venture and reduces the need for scheduled pickups. B&RC is looking at getting carry in/carry out signs for all these fields & parks in town.

Beautification Day is the biggest event hosted by B&RC. Participation has increased steadily with 1,400 volunteers at the last event on 4/26. He reviewed the amount of refuse picked up. In all, the Township earned about \$5,100 for collected recyclables. That is an important day for many reasons. He reviewed West Milford's solid waste tonnage for non-recyclable materials. He reviewed the recyclables volume. Through recycling we are maintaining the environmental health and defraying costs to taxpayers. This past spring B&RC adopted a resolution asking Council to maintain a dual stream recycling policy. Single stream is not economically advantageous. It has created a contamination problem in other communities changing expected savings to increased costs. West Milford has maintained dual stream system of collection and B&RC is grateful.

Earlier this year it was brought to Council's attention that scrap metal scavenging is a statewide problem. The committee presented a report to Council. The report had recommendations to reduce these thefts. Since attention has been given to this problem and there has been a dramatic reduction in problems. He thanked vigilant residents & the police department for this trend and they hope it continues. Most significantly the percentage of recycling has increased steadily over past few years. It is over 40% this year. They are optimistic that they will reach 50% soon.

On behalf of B&RC, Mr. Rogers thanked Council & residents for prioritizing recycling and maintaining the natural beauty of this Township. Stop and see them at ALF.

- Consultant Report – Community Services & Recreation (CS&R) - Robert Casey addressed the Council. He explained what his goals were in preparing his report. The report outlines what he believes is doable while reducing costs in CS&R due to attrition and he has also made recommendations as to how to apply savings in the future. Councilwoman Dale said she read the report thoroughly. She thought it was good. She agrees with 80% of the findings. She had hoped to take a closer look at the actual structure of programs to determine what is and what is not working. The coffee house is an example. A lot of money has been invested there and it is not being utilized to potential. Mr. Casey said he recommended a joint senior & youth facility at the coffee house. CS&R has problem attracting youth who today are more focused on electronics. CS&R has been looking at reducing the age requirements to see if it would generate interest. Hopefully that will increase evening usage. He recommends locating some senior programs there during the day. He said that could be accomplished with minimal structural changes. He suggests seeking grant money to install an elevator, which would expand overall usage. Councilwoman Dale said her hope was that there would be some ideas for restructuring programs. Current programs serve the youth of yesterday and not the youth of today. Someone suggested to her a computer coding class for today's youth. Mr. Casey said one area that may want attention is a competition field. He said that

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: October 1, 2014
Time of Meeting: 6:30 pm
Minute Page No: Page 5 of 23

library & CS&R were duplicating programs. CS&R must get away from a sports only mindset and he recommends that the Township develop a committee to integrate PAL and CS&R so that they stop competing with each other. Council, he said must demand that the role of the RAC be expanded to divert focus from just recreation and draw attention to the overall community. There is no reason to have competing programs with PAL. The Township should assume a role of coordination. Those issues also relate to programs that emanate from the library & school. There should be one overall community brochure rather than individual ones from each group. Councilwoman Dale agreed saying that we appear disengaged as an entire community. Communications are from multiple sources and it should be one source. PAL, library, CS&R and BOE. Councilwoman Horton agreed and provided information about a program she attended in another town for coding. She doesn't know if the school is doing that, is the library, is PAL? She likes the concept of taking the coffee house and maximizing our investment and using it for more hours in the day and sharing with seniors & youth. The elevator would provide accessibility. She asked what an elevator costs and Mr. Casey said it would be a good grant application.

- Mayor Bieri reminded Council that Mr. Casey's focus was on facilities & the future of CS&R. He was not charged with coordination of programs. That will be the new director's job. Councilman Signorino said that there was discussion about getting a kitchen at the coffee house and Mr. Casey said there is a large laundry in the facility now. He is suggesting that the laundry room be revamped, made smaller and a small kitchen be installed. The Township, he said, could apply for grant for that too because nutrition program needs a warming area. It would be minimal renovation.
- Mr. Casey said that he anticipates a reduction in staff through attrition in 2014. It is expected that two program specialists will retire and as such the new director will have to be more hands on and willing to assume those duties at times. The director will have to step in for day-to-day involvement. Councilman Signorino said seniors do not want programs in multiple facilities. Mr. Casey said there are active and passive seniors. Those participating in exercise programs would be at PAL and passive seniors play cards, etc. and could be located at the coffee house. Those at PAL are more mobile anyway. Councilwoman Dale said the fee program referenced non-resident PRIDE participants. Mr. Casey said almost half of the participants are non-residents. He said that in the future state grants are not going to fund staffing for programs. Therefore the budget will have to increase. \$40,000 from the transportation grant has been used in prior years to fund staffing and that will no longer be allowed. He tried to restructure the program but encountered difficulties. Councilwoman Dale asked Administrator Gabbert to look into that. Mayor Bieri said can we look at getting funding from the hometown of out of town participants in PRIDE. Mr. Casey said participants' pay from \$15 up to \$60 per week. He reviewed attendance. There are other programs that handle adult day care that qualify for Medicare rules. Those rules require a level of staffing & qualifications that may be difficult to meet. That should be looked at. If that program becomes reimbursable that reduces costs. He is not sure if our program meets the guidelines for Medicare programs. Councilman Hensley said he recognizes coffee house has not generating participation and that the target market was off. He agrees it should be offered to 5, 6 & 7th graders. The teen coffee house is a beautiful building for youth. He is hesitant about seniors. He asked if there is accessibility to the lower level to seniors. Mr. Casey said there is access from side yard and there is a handicap accessible ramp to the front. Councilman Hensley asked if it would be better to have seniors enter through rear of building thereby protecting the middle floor & downstairs for youth. Mr. Casey said the rear of the building could prove difficult. He noted a number of other issues including the removal of the swimming pool for which we have a grant. Once that has been done, that space could be used, it is level with the middle floor, for senior activities. That is why he suggests moving the electronics to lower level for the youth. Card games & passive senior activities are suited to the middle floor. Councilman Hensley said he hears renovations repeatedly. Mr. Casey is talking about renovating a building that is in good shape in hope that it would be usable. Councilwoman Dale agreed saying you are redesigning and moving out of another facility to create a space you need. Mayor Bieri said that with additional money invested in the past the plan was instituted it was with a hope. This is more an actual plan. Other than the elevator, the renovations are minor. Councilwoman Dale said this would have to be done anyway to allow utilization of the space if we are not in Hillcrest anyway. Councilman Hensley said that is not so because we may be able to accommodate our seniors in the new library if we time it right. This would save money by not investing in the coffee house but providing senior programs. Councilman Signorino said there is the issue of the kitchen and Councilman Hensley said we should have a kitchen in the new library for PRIDE. Mr. Casey said he recommends PRIDE be at PAL. He explained where he would place them and the areas they would have access to. He said he has concerns that we cannot accommodate groups from Hillcrest and the new library will be heavily used. Councilman Hensley said he would like a kitchen in the new library anyway. Discussion ensued about groups that meet during the day and in the evening. Most group usage at Hillcrest is in the evening. Mr. Casey said that he believes that once seniors make the adjustment to the

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: October 1, 2014
Time of Meeting: 6:30 pm
Minute Page No: Page 6 of 23

coffee house they will appreciate the facility and the beautiful setting. He believes they will enjoy it more. The only problem is distance. Councilman Signorino asked if Bob knows what square footage PRIDE uses. Mr. Casey explained the proposed use he recommends for PRIDE is at PAL. PRIDE participants like to socialize and wander. That is better suited to PAL than the library. He said the program would be down two staff members. Those staff changes will be occurring in 2015 so the timing is right. It is workable. He said that the key will be how the Council structures the 2015 budget. He recommends reducing some of the programs based on reduced staff and expanded responsibilities. Councilman Hensley asked if there is a kitchen on lower level at coffee house and Mr. Casey responded in the negative. Councilman Signorino said that he agrees with the need for some kitchen in library.

The Governing Body thanked Mr. Casey for his presentation and report.

Agenda No. VII

Public Comments

Mayor Bieri said that for years West Milford officials and staff has been working for tax relief for a host of reasons. She reviewed many of the battles. This Governing Body has been proactive, hired a lobbyist, and is working on a petition. Earlier this year the Governing Body, at Mr. Semrau's suggestion, approved taking Newark back to the county tax board to try to increase taxes. Today Mr. Semrau got news that he won the appeal. She thanked Mr. Semrau noting that this results in over \$500,000 annually in tax revenue to West Milford. Mr. Semrau said the Governing Body approved filing an appeal. He heard what was going on in Jefferson and their values. There was a value of \$1,500 per acre in West Milford. Based on some sales data from Jefferson and some in West Milford he served Newark & filed an appeal. They are often sent to the State but he notified the Passaic County Tax Board that he wanted this matter to be heard there. The Newark attorney appeared. West Milford only called one witness, Tax Assessor Brian Townsend, who testified about 110 properties. The county tax board full membership heard the case. There was back & forth, and some arguments. The board found compelling reason to increase the assessment from \$1,500 to \$2,500 per acre. That is an assessed value of over \$14 million. Mr. Semrau commended the Tax Collector, Rita DeNivo, for her assistance and advised that the result is \$550,577 in increased taxes. Newark can appeal and if they do they have to overcome the new value. It would be their burden to overcome. He commended everyone involved. This is retroactive to January 1st of this year. Councilwoman Dale thanked Mr. Semrau and the entire Governing Body for taking this stance. We need this she said and the Governing body is making great strides getting tax relief. Mayor Bieri noted that Mr. Semrau invested a lot of effort in this appeal.

Eric Bunk, 31 Vista Road, West Milford asked Council to pass resolution to ask the Division of Fish & Wildlife to extend the bear-hunting season. Now it is too short. They want to balance the bear population to what the land can support. In the past hunting season incidents were reduced. Bears that were not afraid of humans were killed first. One bear for every 2.5 miles is the goal. An earlier season would be better. He sees the aggressive bears in the woods when he hunts. He would like the town to adopt a resolution to send that message.

Rick Ashley, 14 Orange Road, West Milford agrees with Mr. Bunk. He comes from generations of hunters. Bears are too bountiful in this area. Male bears are becoming more aggressive. His daughter was almost attacked by a bear when hunting. He has had bears take aggressive stances. The bears are ruining his trees. We should pass laws prohibiting bird feeders and feeding of stray cats. Other states have longer bear hunting seasons. New York hunters are pushing bears into New Jersey. A bear walked into Hillcrest school in broad daylight. His son was a past caretaker at coffee house. There are two bridges & a stream that need a lot of work on that property. The land is not usable. There are many things to be considered. That property should be zoned commercially to get tax revenue before sinking more money in there. Someone could get injured there. That is better geared to outdoor activities. That property will never be fully utilized.

Bob Nicholson, 20 Hyde Road, West Milford extended sympathies to the Lichtenberg family on their recent loss. He lives on Canistear Road and the bridge has been a bone of contention for many years. He reached out to Assembly members Weber & DeCroce and they said call DOT. He reached out to DOT who said it is not a state road. He asked Council to install a stop sign at the bridge at Canistear Road. He described how people do not stop there. He would like to see some speed control. He said that going from \$100 to \$500 for filming fees is out of line when compared to other towns. He was looking at this today at the county. Bloomingdale reduced their fee. Vernon had hunger games filmed there. Filming is a problem but it can also be a revenue for the municipality and local businesses. The film crews patronize local businesses. He does not want us to scare filming away. Please leave the fee as it is. Resolution 2014-319 is about community fire company #1. He is served by #2 and he hopes his response time is not impacted.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: October 1, 2014
Time of Meeting: 6:30 pm
Minute Page No: Page 7 of 23

Melissa Brown-Blauer, 67 Ramapo Road, Hewitt said she is here to talk about the petition. She used to advocate for bear education in West Milford. She would make presentations about bear behavior and how to live with bears. A lot of that information has disappeared. People are coming from out of town who are not familiar with local issues in country environments. Education could help reduce incidents and is a priority. She would like to see the town becoming proactive in these educational initiatives. Signage & literature at trailheads may help. She picked up copies of the petition. She is trying to get signatures as she campaigns. This is an opportunity to unite the Township and three things in the petition attempt to find a balance. Item C is generating negative reaction. She read it. Some people do not support that particular clause regarding general public good. She would like to see that articulated better and clarification as to what that means. Item B is also confusing. She would like clarification as to what that means.

Renee Alessio, 39 Hillcrest Drive, West Milford said she had placed information on the dais about a pilgrim pipeline project. This would be installed in the Highlands if it comes to pass. This is an oil pipeline which is highly flammable & explosive. To have this piped through the Highlands which is so sensitive and protects water supply for the entire state is irresponsible. Oil & water don't mix. Pipelines do break and explode. There have been incidences. There will be a meeting, a public presentation on October 21st in Kinnelon. She urged people from West Milford to attend. She doesn't think it will come through West Milford but it will go through Passaic County somewhere. That is too close for comfort. This is a regional issue. Some towns are already drafting opposing resolutions. Watchung & Parsippany have done so. She urged the Council to get more information and perhaps consider an opposing resolution. She has concerns. We should be transitioning to cleaner energy.

James Foody, 2 Kushaquia Trail, Hewitt said he is here to talk about roads. He left a copy of papers with the administrator's office for Mr. Semrau and the Administrator. The argument he has is that the roads in his community are dedicated to the public since 1931 and that is irrevocable. He has a 1954 resolution from the Township where they vacated a small portion of Valley Road. That is proof that the roads were dedicated to the Township. The fact that the Township vacated a small section is further proof of the dedication. There are appellate court and supreme courts rulings that dedications are irrevocable. But a small company bought the roads without having the authority to do so. They are suing people, putting liens on houses and this must stop soon. By not acting the Township is enabling Lakeside Road Improvement Corporation in going after the community. He is still awaiting an answer.

Carol Forti, 481 Macopin Road, West Milford said that if the conservationist did not open up the land in Apshawa Preserve to the public the young man attacked by a bear would not have gotten killed. Allowing the public to be in the woods is not a good idea. She does not go in the woods. The death of the boy and the bear could have been prevented if the land was not opened to the public. When voters approved conservation they did not know the land would be open to the public. That is as bad as development. It took the privacy & homes away from wildlife. They don't understand human beings. We should ask the conservations to close Apshawa Preserve and leave it for animals & plants. There are more people and fewer places for wildlife.

Doris Aaronson, 19 Bearfort Road, West Milford said she has heard that some people have criticized the clerk's office. She was surprised and shocked to hear about that. She has had interaction for years with the clerk's office and she listed her numerous interactions. She has always found the staff in the clerk's office more than helpful. Employees have always been polite, helpful and professional. She has highest praise for clerk's office & personnel. She is shocked to hear criticism. She thanked the Clerk & her staff.

Michael Gerst, Hillview Court, West Milford said the discussion on Hillcrest was good but he heard nothing about the emergency shelter.

Gary Steele, North Glenwood Road, West Milford said he will post a video about living with black bears in New Jersey online at westmilfordtv.com. The server has arrived at town hall and will be installed shortly. He is looking forward to the channel going up. Channel 77.

Celeste Hampton, Macopin Road, West Milford has nothing praise for municipal employees. She thanked Mr. Steele for the use of the camera for the 4H club. She commended the recent civility on the dais. She attended presentation about black bears from the state. When air horns do not work to scare a bear, what is plan B? Bears used to scare easier.

There being no more comments from the public Councilwoman Erik moved to close the public portion of the meeting.

Moved: Erik Seconded: Horton
Voted Aye: Unanimous voice vote.
Voted Nay: None.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: October 1, 2014
Time of Meeting: 6:30 pm
Minute Page No: Page 8 of 23

Motion carried.

Agenda No. VIII

Council Comments

Councilman Signorino said he would like to see this Governing Body send a message about the bears. There are more frequent appearances. Statistics do not appear to be accurate. We are trying to get more people to West Milford. He has three small children and fears not being able to scare bears away from his property. He does agree that we should extend the hunting season. Councilwoman Erik said we had joint bear meeting at town hall which had been planned for 7 weeks. The Division Fish & Game answered those questions. They said we need a longer hunting season. They said the population is too heavy for this area. They said bears are becoming more aggressive because they are more familiar with people. The presentation was very educational. They answered every question posed. We do need to put forward a resolution. We invite people into this town to enjoy our wilderness. Now we have too many predators. They are not teddy bears. They are wild animals. An omnivore eats anything & everything. They can go rogue for various reasons. People do that too. Encounters are more frequent. Her fencing is to fence bears out rather than to fence her animals in. Another incident is bound to happen. The bears are migrating to more & more urban areas. Councilman Signorino said he is open to sending something to state legislators about fracking and he is interested in the upcoming meeting in Kinnelon. Fracking could compromise the water system. Mayor Bieri asked if we should send a staff member to the Kinnelon meeting to report back. Administrator Gabbert will take care of it and report back.

Councilwoman Erik said she spoke to state legislators about the Canistear Trestle. Even DOT says it is a dangerous trestle. One of the quickest remedies is a stop sign on each side of the trestle. On the Stockholm side the speed is definitely an issue.

Councilwoman Horton said she appreciates everyone who spoke. She attended a bear presentation and appreciates what she learned. She conveyed condolences to the family whose son was killed. She had family in town recently who had a great time and loved seeing the bear. If you hunt you should eat the food you kill. She appreciates concerns about the petition. Dick Meeney said he would not sign because he was concerned about item C. He said that Highlands Act has a procedure to seek exemptions to rules. She thanked Mike Gerst for always being succinct when he speaks.

Mr. Semrau said there is a distinction with the petition. Everyone worked hard on the wording. Item B has an explanation in the beginning explaining the transfer of development rights. Item C was intended to say there are certain exemptions for the BOE but as a public entity those should apply here. That is why the turf field was built on BOE property. The Township is not seeking exemptions from other restrictions. It is to benefit educational or recreational needs. It would allow development of property for the public good. That is why the demands at the end of the petition letter are so important.

Councilman Hensley said he fully endorses the letter for the petition and thanked everyone who is trying to get signatures on the petition. It is very important. He urged people to do that. He would support both resolutions requested. Opposing the pipeline and extending the bear hunt. If state officials agree that our bear-hunting season is too short we should look into that. If the New York bear hunt is pushing bears into our town we should look to determine if their hunting season is more credible than ours. It makes sense that the aggressive bears would be the first taken down during a bear hunt. He enjoys seeing bears but the incidents are more frequent. He described a recent sighting that was scary. Something needs to be done. We need an effective hunting season. He shares concerns about KOA campground. There are other issues & concerns at that property. He would like us to look at a seamless transition from Hillcrest to new library for seniors. He said we should look at the issues at KOA. How can we address those issues and make this property more useable? There may be a larger potential for that property.

Council President Erk gave a thumbs up to clerk & the staff in the clerk's office. They always go out of their way to work with residents.

Councilwoman Dale been in West Milford since 1971. In bygone years one never used to see bears. Now they can be seen every day, multiple times a day. She would support the requested resolution.

Mayor Bieri said rest assured that Fire Company #2 still exists and is still involved. The resolution simply clarifies roles each company is assigned at this time.

Agenda No. X

Action Items

Agenda No. X 1

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: October 1, 2014
Time of Meeting: 6:30 pm
Minute Page No: Page 10 of 23

Voted Aye: Erik, Hensley, Erk, Dale, Signorino, Horton.
Voted Nay: None.
Motion carried.

Mayor Bieri asked to move Resolutions 2014-315, 2014-316, 2014-317, 2014-318, 2014-319, 2014-320, 2014-321, 2014-322, 2014-323, 2014-324, 2014-325, 2014-326, 2014-327, 2014-328, 2014-329, 2014-330 and 2014-331 as one.

Moved: Erik Seconded: Horton
Voted Aye: Erik, Hensley, Erk, Dale, Signorino, Horton.
Voted Nay:
Motion carried.

Agenda No. X 2

~ Resolution No. 2014 – 315 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY SUPPORTING THE STATE HOUSE COMMISSION FINAL APPLICATION TO THE NJDEP GREEN ACRES PROGRAM FOR DIVERSION OF 1.15 ACRES OF BUBBLING SPRINGS PARK

WHEREAS, Block 9001, Lot 11 is part of the Bubbling Springs Park, which is encumbered with restrictions against disposal or diversion from recreation and conservation uses by the New Jersey Department of Environmental Protection's Green Acres Program; and

WHEREAS, in 1988, the Township sold a 1.15-acre portion of lands from what was Block 9001, Lot 10, of the Bubbling Springs Park. This 1.15 acres of land was added to the adjacent lot (Block 9001, Lot 11), and, it is necessary to remove the Green Acres restrictions from a 1.15 acre portion of land that was added to the adjacent lot; and

WHEREAS, the removal of Green Acres restrictions from parkland requires the approval of the Commissioner of the Department of Environmental Protection and the State House Commission pursuant to *N.J.A.C. 7:36-26*; and

WHEREAS, the West Milford wishes to apply for approval for this past diversion of Bubbling Springs Park, which was a major disposal or diversion of parkland under *N.J.A.C. 7:36-26*; and

WHEREAS, on November 13, 2013 the Town Council held a hearing supporting the pre-application; and public comment was accepted until November 20, 2013; and

WHEREAS, in accordance with *N.J.A.C. 7:36-26. 11(i)4*, it is necessary for West Milford Township to submit as part of the final application a Resolution endorsing the application to divert or dispose of parkland;

NOW THEREFORE, BE IT RESOLVED by the Township of West Milford, in the County of Passaic, State of New Jersey as follows:

1. The Township Council of West Milford endorses the filing of a final application for the Bubbling Springs Park Diversion, pursuant to *N.J.A.C. 7:36-26*;
2. The Township Council of West Milford has reviewed oral and written comments accepted during the public comment period and have made a finding that the major disposal or diversion of parkland is still in the public's best interest.
3. The Township Council of West Milford hereby finds that the Bubbling Spring Park Diversion application will rectify the oversight that was involved when there was a lot line adjustment to the Bubbling Springs Park property. This application would meet the minimum substantive criteria at *N.J. A. C. 7:36-26.1 (d)*.
4. The Township Council of West Milford acknowledges that in order to obtain the approval of the Bubbling Springs Park Diversion, all substantive and procedural requirements of *N.J.A.C. 7:36-26* must be met, including compensation requirements at *N.J.A.C. 7:36-26.10*; and that the Township is donating a 43.1 acre site to the State, which exceeds the ratio requirement and consists of lands of higher ecological value.

Adopted: October 1, 2014

Agenda No. X 3

~ Resolution 2014 - 316 ~

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: October 1, 2014
Time of Meeting: 6:30 pm
Minute Page No: Page 11 of 23

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE ACCEPTANCE OF A PASSAIC COUNTY CULTURAL HERITAGE COUNCIL RE-GRANT FOR THE DEVELOPMENT OF A SERIES OF CULTURAL EVENTS DURING 2015

WHEREAS, by virtue of Resolution 2014-197, the Township Council did authorize the submission of a grant application to the Passaic County Cultural Heritage Council Re Grant to fund cultural events for residents of all ages and abilities; and

WHEREAS, said application was duly submitted and approved; and

WHEREAS, the Department of Community Services & Recreation has developed a series of cultural programs that could benefit from these funds.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Milford hereby authorizes the acceptance of a Passaic County Cultural and Heritage Grant in the amount of \$5,000.00 with a cash match of \$2,500.00 and an in-kind match of \$2,500.00 for the purpose of planning, scheduling and conducting several cultural events in the Township during 2015 and;

BE IT FURTHER RESOLVED that the Mayor or the Township Administrator be authorized and directed to arrange for the acceptance of said grant.

Adopted: October 1, 2014

Agenda No. X 4

~ Resolution 2014 - 317 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY PLEDGING MUNICIPAL SUPPORT FOR THE NEW JERSEY WILDLIFE ACTION PLAN

WHEREAS, New Jersey is home to a rich diversity of wildlife and ecologically significant natural communities, and

WHEREAS, it is more cost-effective to prevent species from becoming imperiled than it is to recover them once their populations have declined, and

WHEREAS, a naturally functioning and healthy ecosystem represents a healthy environment for New Jersey wildlife and our citizens,

WHEREAS, the NJ Division of Fish and Wildlife, other state and federal agencies, and many partners in conservation have worked together to develop a State Wildlife Action Plan for the benefit of biologists, wildlife experts, municipal leaders, land stewards, non-profit organizations, educators, planners, researchers, outdoor recreation enthusiasts, landowners and all the people who know the wild places of New Jersey State, and

WHEREAS, the residents of, and visitors to, New Jersey also enjoy and benefit from New Jersey's wildlife and wild spaces.

NOW THEREFORE BE IT RESOLVED, that the Township of West Milford will take the following steps with regard to our municipal land-use decisions with the intent of making West Milford an ecologically sustainable community. It is our intent to include these principles in our public lands management, our environmental resources inventory, and to use this information in the next master plan revision and update our zoning accordingly.

1. This plan is in support of New Jersey Department of Environmental Protection, Division of Fish and Wildlife, State level Priority Conservation Goals and Strategies.
2. Recognizing that animals are an integral and valuable part of all communities and believing concern for the wellbeing of wild animals and wild species is a hallmark of sustainable natural community, West Milford Township pledges its support for the New Jersey Wildlife Action Plan as outlined:
3. We will protect wildlife habitats and maintain connectivity of habitat when formulating an open space acquisition strategy, open space stewardship plans and through the Municipal Master Plan including planning and zoning ordinances.
4. We will seek to minimize disturbance of critical wildlife populations and their habitats from human excessive activities, subsidized predators and invasive species.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: October 1, 2014
Time of Meeting: 6:30 pm
Minute Page No: Page 12 of 23

Adopted: October 1, 2014

Agenda No. X 5

~ Resolution 2014 - 318 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY PLEDGING MUNICIPAL SUPPORT FOR COMPANION ANIMAL MANAGEMENT

WHEREAS, recognizing that cats and dogs are an integral and valuable part of all communities, and contribute to the well-being of humans, whether as companions, service animals, or therapy pets, and

WHEREAS, understanding that municipalities have an important role in ensuring the well-being of animals while balancing the needs of pet owners and non-pet owners:

WHEREAS legislators and municipal officials report that the number of calls from citizens about animal related issues rival any other issue(s); and

WHEREAS New Jersey mandates training requirements for Animal Control Officers and Animal Cruelty Investigators; and

WHEREAS New Jersey impounds over 100,000 animals per year in animal shelters and impoundment facilities; and

WHEREAS approximately 37% of the animals that enter New Jersey's impoundment facilities are euthanized, at a rate of around 3,000 every month; and

WHEREAS free-roaming unvaccinated cats and dogs present a potential health threat to humans through the spread of such zoonotic diseases as rabies, leptospirosis, toxoplasmosis, roundworms, animal bites, and environmental contamination from animal feces; and

WHEREAS it is more humane and cost-effective to reduce the number of unwanted animals than it is to impound and euthanize unwanted or unclaimed dogs and cats; and

WHEREAS all dogs are required to be licensed in the municipality where they are housed and the majority of municipalities also require licensure of cats. (Current vaccination against rabies is a pre-requisite to licensure); and

WHEREAS all municipalities are required to canvass their residents to locate unlicensed dogs.

NOW THEREFORE BE IT RESOLVED that the Township Council of the Township of West Milford resolves to take the following steps with regard to municipal responsibilities so we can continue to strive to be a truly sustainable community. Our intent is to do our utmost, within the bounds of our jurisdiction, to ensure that companion animals are treated humanely, respectfully, and responsibly through public education and through exercise of powers vested within New Jersey municipalities as follows:

Pursuant to New Jersey Statutes, the Township of West Milford has an appointed Certified Animal Control Officer who is responsible for animal control within the jurisdiction of the municipality, including providing emergency veterinary care for injured stray animals and coverage outside of normal working hours;

1. The Township of West Milford has instituted dog and cat licensing ordinances;
2. The Township of West Milford through the NJ Vicious Dog Law following the state statues, through code, for the municipality to effectively assess situations of vicious or potentially dangerous dogs, regardless of breed;
3. The Township of West Milford, by law, licenses the West Milford Animal Shelter, a state of the art, all volunteer shelter and any other shelter, pound, rescue organization, pet shop, located within the Township;
4. The Township of West Milford, by ordinance, established a feral cat Trap-Neuter-Return Program;
5. The Township of West Milford Animal Shelter participates in the Animal Population Control Program, which provides for low-cost spaying and neutering for pet owners adopting dogs and cats from West Milford's Animal Shelter and for pet owners participating in one of several Public Assistance Programs.

BE IT FURTHER RESOLVED that the Municipality pledges to:

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: October 1, 2014
Time of Meeting: 6:30 pm
Minute Page No: Page 13 of 23

1. Enforce animal and rabies control statutes and regulations, including the requirement to pick up and impound stray dogs and cats, excepting stray and feral cats in managed TNR programs.
2. Work to improve the enforcement of animal cruelty statutes.
3. Educate our community, including school children, about their responsibilities toward the pet animals they choose to keep.
4. Increase the percentage of dogs and cats that are licensed by making the licensing process easier.
5. Identify and work to implement best practices to prevent unwanted breeding through effective animal control, availability of low-cost pet spaying and neutering services and public education.

Adopted: October 1, 2014

Agenda No. X 6

~ Resolution 2013 – 319 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE FIRE COMMISSIONER TO TAKE NECESSARY ACTION TO ADEQUATELY PROVIDE FIRE SUPPRESSION SERVICES FOR FIRE DISTRICT NO. 2

WHEREAS, the Fire Commissioner and Director of Public Safety have expressed the need for adequate manpower for fire suppression services in Fire District No. 2; and

WHEREAS, the Governing Body, in the interest of public safety, outlined various proposals to insure such adequate manpower and fire suppression services for Fire District No. 2.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford County of Passaic and State of New Jersey that the Fire Commissioner, with the supervision of the Director of Public Safety is hereby authorized to take action that was set forth in executive session, in the interest of public safety for the residents served by Fire District No. 2; and

BE IT FURTHER RESOLVED that Fire District No. 2 shall be entrusted primarily to Fire Company No. 1 and any other district that the Director of Public Safety and Fire Commissioner deem necessary in order to protect the safety of Township residents and their property.

BE IT FURTHER RESOLVED that the Fire Commissioner shall provide a certified copy of this resolution to the Chief of Fire Company #1 which copy shall serve to formally notify Fire Company #1 that the Governing Body hereby entrusts authority to Fire Company #1 to assume the lead role in all callouts that would otherwise be handled by Fire Company #2.

Adopted: October 1, 2014

Agenda No. X 7

~ Resolution 2014 – 320 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AMENDING RESOLUTION 2014-063 TO INCREASE THE CONTRACT VALUE WITH FERRAIOLI, WIELKOTZ, CERULLO & CUVA, P.A., FOR AUDITING AND FINANCIAL SERVICES

WHEREAS, on January 4, 2014 the Township Council authorized a contract with Ferraioli, Wielkocz, Cerullo & Cuva, P.A. to provide auditing and professional financial services for the Township of West Milford in an amount not to exceed \$60,000.00; and

WHEREAS, the contract was increased on February 5, 2014 to \$75,000.00 to include costs for the bond sale in April 2014. However, per the contract executed between the Township of West Milford and Ferraioli, Wielkocz, Cerullo & Cuva, P.A., the entire costs of the bond sale and the October 2014 note sale were not included.

WHEREAS, the Chief Financial Officer has provided a Certificate of the Availability of Funds for this contract extension in the amount of \$10,000.00 to be taken from account number 04-215-55-821-005; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford, County of Passaic as follows:

1. The contract with Ferraioli, Wielkocz, Cerullo & Cuva, P.A. in the amended amount of \$10,000.00 is hereby amended to \$85,000.00;

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: October 1, 2014
Time of Meeting: 6:30 pm
Minute Page No: Page 14 of 23

2. A copy of this resolution shall be provided to Ferraioli, Wielkocz, Cerullo & Cuva, P. A., the Township Administrator and the Township Chief Financial Officer for their information and execution.
3. Notice of this amendment shall be published in the official newspaper.

Adopted: October 1, 2014

Agenda No. X 8

~ Resolution 2014 – 321 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING TOWNSHIP MEMBERSHIP RENEWAL IN THE NORTH JERSEY MUNICIPAL EMPLOYEE HEALTH BENEFITS FUND

WHEREAS, a number of public entities in the State of New Jersey have joined together to form the North Jersey Municipal Employee Benefits Fund, hereafter referred to as "FUND", as permitted by N.J.S.A. 11:15-3, 17:1-8.1, and 40A:10-36 et seq., and;

WHEREAS, the FUND was approved to become operational by the Departments of Insurance and Community Affairs and has been operational since that date, and;

WHEREAS, the statutes and regulations governing the creation and operation of a joint health insurance fund, contain certain elaborate restrictions and safeguards concerning the safe and efficient administration of the public interest entrusted to such a FUND; and

WHEREAS, the Governing Body of the Township of West Milford has determined that membership in the FUND is in the best interest of the Township.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of West Milford hereby agrees as follows:

1. Renew membership with the FUND for the period outlined in the LOCAL UNIT's Indemnity and Trust Agreements.
2. Will participate in the following type (s) of coverage (s):
 - a.) Health Insurance and/or Dental Insurance as defined pursuant to N.J.S.A. 17B:17-4, the FUND's Bylaws, and Plan of Risk Management.
3. Adopts and approves the FUND's Bylaws.
4. Execute an application for membership and any accompanying certifications.

BE IT FURTHER RESOLVED that the Mayor & Township clerk of the Township of West Milford be and are hereby authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying membership in the FUND as required by the FUND's Bylaws, and to deliver these documents to the FUND's Executive Director with the express reservation that these documents shall become effective only upon:

1. Approval of the Township by the FUND.
2. Receipt from the Township of a Resolution accepting assessment.
3. Approval by the New Jersey Department of Insurance and Department of Community Affairs.

Adopted: October 1, 2014

Agenda No. X 9

~ Resolution 2014 - 322 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY ACCEPTING THE COMMUNITY FORESTRY MANAGEMENT PLAN PREPARED BY FORESTRY CONSULTANT RONALD FARR AND THE WEST MILFORD ENVIRONMENTAL COMMISSION THROUGH A GREEN COMMUNITIES 2013 GRANT FROM THE NJDEP DIVISION OF PARKS & FORESTRY

WHEREAS, the Township of West Milford had authorized, through Resolution 2013-113, the application for a NJDEP Green Communities 2013 Grant for the development of a Community Forestry Management Plan through the collaboration of the West Milford Environmental Commission and Certified Forester Ronald Farr; and

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: October 1, 2014
Time of Meeting: 6:30 pm
Minute Page No: Page 15 of 23

WHEREAS, the Township was awarded a grant in the amount of \$3000.00, with an in-kind match (for services) of \$3000.00, and entered into an agreement with the NJDEP Division of Parks and Forestry for Grant # PF13-153, authorized by the Mayor and Township Council through Resolution 2013-213; and

WHEREAS, the Community Forestry Management Plan 2014-2018 was developed with the assistance of grant consultant and Certified Forester Ronald Farr and approved by the Township of West Milford Environmental Commission and West Milford Planning Board prior to being presented to the Mayor and Township Council at a regular meeting held on September 17, 2014.

NOW, THEREFORE, BE IT RESOLVED that, having reviewed and approved the Township of West Milford Community Forestry Management Plan 2014-2018, the Mayor of the Township of West Milford is hereby authorized and directed to endorse said plan, with a copy to be submitted for approval to the NJDEP Division of Parks and Forestry.

BE IT FURTHER RESOLVED that the Chief Financial Officer is hereby authorized to effectuate the processing of the grant funds received under this Green Communities 2013 Grant #PF 13-153.

Adopted: October 1, 2014

Agenda No. X 10

~ Resolution 2014 – 323 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY REQUESTING APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION (NJDOT) FOR BIKEWAY IMPROVEMENTS TO RIDGE ROAD BETWEEN VREELAND ROAD AND BARON ROAD, INCLUDING GRANITE BLOCK CURB AND STORMWATER COMPLIANCE

WHEREAS, the NJDOT is accepting applications for the fiscal year 2015 Bikeway Program; and

WHEREAS, the Township's Engineering Division has recommended that the following application be submitted for Bikeway Improvements to Ridge Road between Vreeland Road and Baron Road, including granite block curb and stormwater compliance; and

WHEREAS, the Township's Engineering Division submits the following application for consideration to the Township Council:

Table with 2 columns: Description and Amount. Row 1: Project: West Milford Bikeway – Section 3, Contract 5. Row 2: Bikeway Improvements to Ridge Road between Vreeland Road and Baron Road (0.45 miles), Including Reconstruction, Granite Block Curb and Stormwater Compliance. Row 3: Grant Application: \$425,000. Row 4: Township Contribution: \$200,000. Row 5: Estimated Cost for Entire Project: \$625,000. Row 6: Grant Application No. BIKE-2015-West Milford Bikeway – Section 3,-00055

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Township Council of the Township of West Milford formally approve the grant application for the above stated project; and

BE IT FURTHER RESOLVED that the Township Engineering Division Agency Administrator is hereby authorized to submit the grant application as identified above to the New Jersey Department of Transportation through S.A.G.E. (System for Administering Grants Electronically) on behalf of the Township of West Milford; and

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized to sign the grant agreement on behalf of the Township of West Milford and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Approved: October 1, 2014

Agenda No. X 11

~ Resolution 2014 – 324 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY REQUESTING APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION (NJDOT) FOR THE RECONSTRUCTION OF RIDGE ROAD BETWEEN ALPINE RIDGE ROAD AND VREELAND ROAD, INCLUDING GRANITE BLOCK CURB AND STORMWATER COMPLIANCE

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: October 1, 2014
Time of Meeting: 6:30 pm
Minute Page No: Page 16 of 23

WHEREAS, the NJDOT is accepting applications for the fiscal year 2015 Municipal Aid Program; and

WHEREAS, the Township's Engineering Division has recommended that the following application be submitted for the reconstruction of Ridge Road between Alpine Ridge Road and Vreeland Road, including granite block curb and stormwater compliance; and

WHEREAS, the Township's Engineering Division submits the following application for consideration to the Township Council:

Table with 2 columns: Description and Amount. Row 1: Project: Ridge Road - Section 3, Contract 4. Row 2: Reconstruction of Ridge Road between Alpine Ridge Road and Vreeland Road (0.55 miles), Including Granite Block Curb and Stormwater Compliance. Row 3: Grant Application: \$450,000. Row 4: Township Contribution: \$210,000. Row 5: Estimated Cost for Entire Project: \$660,000. Row 6: Grant Application No. MA-2015-Ridge Road - Section 3, Contract 4-00304

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Township Council of the Township of West Milford formally approve the grant application for the above stated project; and

BE IT FURTHER RESOLVED that the Township Engineering Division Agency Administrator is hereby authorized to submit the grant application as identified above to the New Jersey Department of Transportation through S.A.G.E. (System for Administering Grants Electronically) on behalf of the Township of West Milford; and

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized to sign the grant agreement on behalf of the Township of West Milford and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Approved: October 1, 2014

Agenda No. X 12

~ Resolution 2014 - 325 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY REQUESTING APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION (NJDOT) FOR THE RECONSTRUCTION OF RIDGE ROAD BETWEEN VREELAND ROAD AND BARON ROAD, INCLUDING GRANITE BLOCK CURB AND STORMWATER COMPLIANCE

WHEREAS, the NJDOT is accepting applications for the fiscal year 2015 Municipal Aid Program; and

WHEREAS, the Township's Engineering Division has recommended that the following application be submitted for the reconstruction of Ridge Road between Vreeland Road and Baron Road, including granite block curb and stormwater compliance; and

WHEREAS, the Township's Engineering Division submits the following application for consideration to the Township Council:

Table with 2 columns: Description and Amount. Row 1: Project: Ridge Road - Section 3, Contract 5. Row 2: Reconstruction of Ridge Road between Vreeland Road and Baron Road (0.45 miles), Including Granite Block Curb and Stormwater Compliance. Row 3: Grant Application: \$425,000. Row 4: Township Contribution: \$200,000. Row 5: Estimated Cost for Entire Project: \$625,000. Row 6: Grant Application No. MA-2015-Ridge Road - Section 3, Contract 5-00304

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Township Council of the Township of West Milford formally approve the grant application for the above stated project; and

BE IT FURTHER RESOLVED that the Township Engineering Division Agency Administrator is hereby authorized to submit the grant application as identified above to the New Jersey Department of Transportation through S.A.G.E. (System for Administering Grants Electronically) on behalf of the Township of West Milford; and

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: October 1, 2014
Time of Meeting: 6:30 pm
Minute Page No: Page 17 of 23

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized to sign the grant agreement on behalf of the Township of West Milford and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Approved: October 1, 2014

Agenda No. X 13

~ Resolution 2014 – 326 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A COMPETITIVE BIDDING CONSTRUCTION CONTRACT TO HASKELL PAVING, INC. FOR THE 2014 SEDIMENT CONTROL RETROFIT PROGRAM

WHEREAS, the Township of West Milford advertised for the receipt of sealed competitive bids to be received on September 19, 2014 at 10:15 am for sediment control retrofits to address two Township stormdrain outfall pipes that discharge into Upper Greenwood Lake; and

WHEREAS, the Township of West Milford received seven (7) sealed bids on September 19, 2014 in accordance with the advertised date for acceptance of bids for this project; and

WHEREAS, said seven (7) bids have been duly reviewed and analyzed by the West Milford Township Engineering Division; and

WHEREAS, the bid received from the low bidder Haskell Paving, Inc., has been found to be in proper form and in compliance with the provisions of N.J.S.A. 40A:11-23.5 and the specifications as written; and

WHEREAS, the Chief Financial Officer has certified that the encumbrance for these services shall come from accounts numbered 04-215-55-821-010 and 04-215-55-818-004; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford, County of Passaic, State of New Jersey, as follows:

1. The Township Council hereby awards a contract to Haskell Paving, Inc., 30 Greenwood Lake Turnpike, Ringwood, NJ 07456 for the 2014 Sediment Control Retrofit Program project subject to the review and approval of the Township Attorney in an amount not to exceed \$48,000.00.
2. The Mayor and Township Clerk are hereby authorized and directed to execute a contract with Haskell Paving, Inc. in accordance with its bid for said sediment control retrofits for Upper Greenwood Lake.
3. The Township's Chief Financial Officer has certified the availability of funds for same.
4. This resolution and contract shall be available for public inspection in the office of the Township Clerk.

Adopted: October 1, 2014

Agenda No. X 14

~ Resolution 2014 - 327 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING CHANGE ORDER NO. 1 TO ALBERT CHRISTMANN, INC. FOR THE BUBBLING SPRINGS PARK INDIVIDUAL SUBSURFACE DISPOSAL SYSTEM PROJECT FOR AN OVERALL INCREASE OF \$8,955.00

WHEREAS, the Mayor and Council of the Township of West Milford, County of Passaic and State of New Jersey authorized the award of a construction contract for the Bubbling Springs Park Individual Subsurface Disposal System Project by resolution 2014-258; and

WHEREAS, to accommodate the *gas service relocation and construction, tree removal, electric service relocation* in order to complete the project in accordance with the request by PSE&G which extends beyond the original depicted contract drawings; and

WHEREAS, pursuant to the *Change Order No. 1* report prepared by the Ferriero Engineering Inc. the total amount of increases for the project are \$8,955.00, or 6.49%; and

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: October 1, 2014
Time of Meeting: 6:30 pm
Minute Page No: Page 18 of 23

WHEREAS, based upon the aforementioned changes to the contract, the adjusted total amount of the contract is now \$146,855.00; and

WHEREAS, the Chief Financial Officer has certified to the availability of funds for this change order, said funds to be paid from the remaining balance of the previously approved for this project in account number 04-215-55-819-012; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford, County of Passaic and State of New Jersey, as follows:

- 5. The Township Administrator is hereby authorized to exceed the original contract award of \$137,900.00 to Albert Christmann Inc. by an amount not to exceed \$8,955.00 (6.49%).
- 6. The Township's Chief Financial Officer has certified the availability of funds for same.
- 7. This resolution shall be available for public inspection in the Office of the Township Clerk.

Adopted: October 1, 2014

Agenda No. X 15

~ Resolution 2014 – 328~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING PASSAGE OF A CONSENT AGENDA

WHEREAS, the Mayor and Township Council of the Township of West Milford has reviewed the Consent Agenda consisting of various proposed Resolutions and Applications.

NOW, THEREFORE, BE IT RESOLVED, that the following Resolutions and Applications on the Consent Agenda are hereby approved:

Resolutions:

- a. **2014-329** – Cancel Outstanding Checks
- b. **2014-330** – Refund Building Permit Fees
- c. **2014-331** – Refund Street Opening Fee

Applications:

- a. Application for On Premise 50/50 Raffle License #2014-43 by Our Lady Queen of Peace Church for November 15, 2014.

Adopted: October 1, 2014

Agenda No. X 15 a

~ Resolution 2014 - 329 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE CANCELLATION OF OUTSTANDING CHECKS OVER SIX MONTHS OLD TO MUNICIPAL CASH BALANCES

WHEREAS, the Chief Financial Officer has determined that the following Township of West Milford Claims account checks have been outstanding for a period in excess of six months.

DATE	CHECK #	AMOUNT
2/20/14	3603	227.57
2/20/14	3520	50.00
12/19/13	3077	2073.00
12/19/13	3008	2028.00
12/19/13	2855	427.00
12/19/13	2852	450.00
12/19/13	2767	427.00
9/19/13	2184	202.38
9/19/13	2101	259.36

NOW, THEREFORE, BE IT RESOLVED that the above outstanding checks be restored to the Township cash balance.

Adopted: October 1, 2014

Agenda No. X 15 b

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
 Date of Meeting: October 1, 2014
 Time of Meeting: 6:30 pm
 Minute Page No: Page 19 of 23

~ Resolution 2014 - 330 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF BUILDING PERMIT FEE

BE IT RESOLVED, by the Township Council of the Township of West Milford that, based upon the report and request of the Construction Official the following Building Permit Fee be refunded:

Name & Address Refund To	Building Permit Number	<u>Fee Type/Amount Paid</u>	<u>Plan Review Fee</u>	<u>Amount Refunded</u>
Bianchi & Son Construction Corporation 84 McKinley Place West Milford, NJ 07480	14-0395	Building/ \$259.00	\$239.00	\$20.00
MH Tank Company PO Box 428 Warwick, NY 10990	14-001	Building/ \$160.00	-\$32.00	\$128.00

Adopted: October 1, 2014

Agenda No. X 15 c

~ Resolution 2014 – 331 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF STREET OPENING BOND FEE

BE IT RESOLVED that the following street opening bond fee upon the recommendation of the Township Engineering Department be refunded:

Receipt No.	Refund Amount	Refund to	Street Permit No.
955111	\$100.00	Mark Lindsay & Son Plumbing & Heating 21 Union Valley Road Newfoundland, NJ 07435	2014-20

Adopted: October 1, 2014

Agenda No. XI

Approval of Expenditures

~ Resolution No. 2014 - 332 ~

RESOLUTION APPROVING THE PAYMENT OF BILLS

WHEREAS, the Township Treasurer has submitted to the members of the Township Council a report listing individual disbursement checks prepared by his office in payment of amounts due by the Township.

NOW, THEREFORE, BE IT RESOLVED that the Township Treasurer’s report of checks prepared by him be approved and issued as follows:

Acct #	Account Name	Amount
1	Current Account	\$166,764.26
3	Reserve Account	2,512.93
2	Grants	1,828.10
6	Refunds	120.00
1	General Ledger	0.00
26	Refuse	158,153.29
4	Capital	82,400.45
19	Animal Control	80.00
19	Heritage Trust	0.00
19	Open Space Trust	0.00
19	Trust	331.49

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: October 1, 2014
Time of Meeting: 6:30 pm
Minute Page No: Page 20 of 23

19	COAH	0.00
16	Development Escrow	0.00
20	Library Trust	0.00
21	Assessment Trust	17,911.32
Total		\$430,101.84
Less Refund Resolution		-120.00
Actual Bill List		\$429,981.84
Other Payments.		
Payroll		553,054.65
Dog, Due State		114.00
Total Expenditures		\$983,150.49

Adopted: October 1, 2014

Moved: Erik Seconded: Signorino
Voted Aye: Erik, Hensley, Erk, Dale, Signorino, Horton.
Voted Nay: None.
Motion carried.

Agenda No. XII

Reports of Administrator, Mayor and Council Members

Council President Erk said that the TV committee continues to meet & work hard. The server & monitor were delivered today and the cable drop date is about another month away. The committee would like to put out a call for volunteers for filming and for volunteers with a technical background. She asked interested parties to submit a citizen leadership form. Depending on the outcome of the response the committee may seek additional members. They have formed a community outreach subcommittee that Councilwoman Erik will speak about.

Councilwoman Dale said that ALF is scheduled for October 11th and the committee is still looking for volunteers.

Councilman Signorino said that the Heritage Committee invites everyone to visit the museum during ALF. It is sure to be a great experience. Renovations are complete. The Greenwood Lake Bi-State Commission met in Greenwood Lake Village and had a good discussions. They are now trying to straighten out books & papers. They are separating funds that emanate from New Jersey & New York and they are more organized. He thanked them for the work they do.

Councilwoman Horton conveyed condolences to the Lichtenberg & McGuiness families on their recent losses. She urged everyone to sign the watershed petition and drive up the number saying that the Township is trying to get equity as stewards for watershed land. She is very optimistic. She will have a petition at ALF for those who cannot sign online. Last week the Freeholder meeting was held in West Milford. Every freeholder signed the petition and spoke in favor of it and she thanked each of them. She said she is happy with the progress in getting channel 77 moving. As liaison to the lakes committee she talked about possibly getting group insurance rate. She has only heard from one lake. She urged interested communities to reach out to her with policy & insurance agent information and she will pursue it. She thanked Mr. Semrau & everyone involved in the Newark tax appeal.

Councilwoman Erik urged people to watch the living with black bear video. She attended a PSE&G meeting and a New Jersey shade tree federation meeting. They are trying to get towns who do plant trees to stay away from invasive or top heavy trees. They do not withstand weather conditions in this area. They will make a presentation if asked. She also attended a meeting, an 800 call before you dig meeting. West Milford is not complying. She urged anyone who is doing construction work to always call before you dig no matter where you're digging. You are protected if you call, it is free, and you get clearance. If you don't call you could be fined. The TV committee hit the ground running this year. They need volunteers. People who can and want to use cameras. The policies & procedures are almost done. These volunteers will be the ultimate committee. She said every group, church, and civic organization should send ads to the committee to be posted on the community bulletin board. They need volunteers to create slides which will help sell our town. There will be no political notices. The channel will be dedication to educational, local & government issues. There are grant opportunities. She attended United for Passaic County meeting about drugs. Passaic County has tripled the amount of medicine drops but West Milford still does not have one. She attended the Freeholders meeting last week. It was well attended. They announced that on October 9th Ryerson School they will have a meeting about a circle to be installed on Skyline Drive. This will affect West Milford traffic.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: October 1, 2014
Time of Meeting: 6:30 pm
Minute Page No: Page 21 of 23

Councilman Hensley conveyed condolences to the Lichtenberg & McGuiness families. This past weekend there was a very successful garage sale and, in his opinion, the homemade signs added charm. Deals were everywhere to be had and residents were happy. In that spirit the EDC requested to annualize that event on the same weekend every year. He would like to make a motion to annualize that, seconded by Councilwoman Dale. Mayor Bieri said the Council would have to make that motion either in January or make an amendment to the code if they don't want to vote each year. However, this Council cannot compel next year's Council at this time.

Administrator Gabbert said there was a successful BAN sale with a winning bid of 2.98%. Council had asked for more information on 1934 Greenwood Lake Turnpike and he reviewed the information he had placed on the dais. He said there will be a request for an increase in the 2015 budget to host the Senior Olympics and it is estimated to cost about \$6,000. If there is any concern this will not be funded we should let the other towns know now. The consensus of the Council was to fund the Senior Olympics. Councilman Signorino suggested asking the EDC to seek donations to offset the cost.

Agenda No. XIII

Appointments and Resignations

Mayor Bieri suggested having open forum meetings rather than committee meetings for the ATV committee because there is so much interest. Councilwoman Erik agreed saying that the two council liaisons could manage that group. Councilwoman Dale agreed to a degree but thinks it is important to have a controlled voice. Having too many people weighing in might stall the process. Comments could be funneled to appointees. She hopes everyone does come and participate but she prefers a limit at least initially. Councilman Signorino agreed saying it would be best to start with a committee and then go to a forum.

Councilman Signorino made a motion to begin nominations for Citizen Members to be appointed to the ATV Committee. Discussion ensued as to possible discrepancies in the nominations.

A motion was made by Councilman Signorino, seconded by Councilwoman Dale to withdraw nominations due to a difference in the nomination lists.

Moved: Signorino Seconded: Dale
Voted Aye: Erik, Hensley, Erk, Dale, Signorino, Horton
Voted Nay:
Motion carried.

Councilman Signorino made a motion to begin nominations for Citizen Members to be appointed to the ATV Committee.

Councilman Signorino nominated the following as Citizen Members to the ATV Committee, seconded by Councilwoman Dale: Jason J. O'Keefe, Christine A. Howell, Joseph Fritz, Mark Wundrak, Russ Curving, Glenn W. Tynan and Melinda L. Singer
Councilwoman Horton nominated the following as Citizen Members to the ATV Committee, seconded by Councilwoman Erik: Melinda L. Singer, Claire Fritz and Edward J. Rapp
Councilwoman Erik nominated the following as Citizen Member to the ATV Committee, seconded by Councilwoman Horton: Ulrike "Rea" Wundrak Lippner
Councilman Hensley nominated the following as Citizen Member to the ATV Committee, seconded by Council President Erk: David A. Swan Sr.

Councilman Signorino made a motion, seconded by Councilwoman Dale to close nominations for the ATV Committee.

Moved: Signorino Seconded: Dale
Voted Aye: Erik, Hensley, Erk, Dale, Signorino, Horton
Voted Nay: None.
Abstain:
Motion carried.

Councilwoman Erik made a motion, seconded by Councilwoman Erk to amend Resolution 2014-282 creating the ATV Committee to include 11 Citizen Members.

Moved: Erik Seconded: Erk
Voted Aye: Erik, Erk
Voted Nay: Hensley, Dale, Signorino, Horton

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: October 1, 2014
Time of Meeting: 6:30 pm
Minute Page No: Page 22 of 23

Abstain:
Motion failed.

Vote for Jason O'Keefe:

Moved: Signorino Seconded: Dale
Voted Aye: Hensley, Erk, Dale, Signorino, Horton
Voted Nay: None.
Abstain: Erik
Motion carried.

Vote for Melinda L. Singer:

Moved: Horton Seconded: Erik
Voted Aye: Erik, Hensley, Erk, Dale, Signorino, Horton
Voted Nay:
Abstain:
Motion carried.

Vote for Christine A. Howell:

Moved: Erik Seconded: Horton
Voted Aye: Erik, Hensley, Erk, Dale, Signorino, Horton
Voted Nay: None.
Abstain:
Motion carried.

Vote for Ulrike "Rea" Wundrak Lippner:

Moved: Erik Seconded: Horton
Voted Aye: Erik, Erk
Voted Nay: Hensley, Dale, Signorino, Horton
Abstain:
Motion failed.

Vote for Joseph Fritz:

Moved: Signorino Seconded: Dale
Voted Aye: Hensley, Erk, Dale, Signorino
Voted Nay: Horton
Abstain: Erik
Motion carried.

Vote for Mark Wundrak:

Moved: Signorino Seconded: Dale
Voted Aye: Signorino
Voted Nay: Erik, Hensley, Erk, Dale, Horton
Abstain:
Motion failed.

Vote for Russ Curving:

Moved: Signorino Seconded: Dale
Voted Aye: Hensley, Dale, Signorino
Voted Nay: Erik, Erk, Horton
Abstain: Bieri
Motion failed.

Vote for Glenn W. Tynan:

Moved: Signorino Seconded: Dale
Voted Aye: Erik, Hensley, Erk, Dale, Signorino, Horton
Voted Nay:
Abstain:
Motion carried.

Vote for Claire Fritz:

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: October 1, 2014
Time of Meeting: 6:30 pm
Minute Page No: Page 23 of 23

Moved: Horton Seconded: Erik
Voted Aye: Hensley, Erk, Signorino
Voted Nay: Erik, Dale, Horton
Abstain: Bieri
Motion failed.

Vote for David A. Swan Sr.:

Moved: Hensley Seconded: Erk
Voted Aye: Hensley, Erk, Dale, Signorino
Voted Nay: Erik, Horton
Abstain:
Motion carried.

Vote for Edward J. Rapp:

Moved: Horton Seconded: Erk
Voted Aye: Erk, Horton
Voted Nay: Erik, Hensley, Dale, Signorino,
Abstain:
Motion failed.

At this time, all nominees had been voted on; there being one additional Citizen Member opening left, the Council requested additional nominations. Councilman Signorino nominated Ulrike "Rea" Wundrak Lippner, seconded by Councilwoman Dale. Councilman Hensley nominated Samantha Fritz.

Councilman Signorino made a motion, seconded by Councilwoman Dale to close nominations for the ATV Committee.

Moved: Signorino Seconded: Dale
Voted Aye: All in favor
Voted Nay: None.
Motion carried.

Vote for Ulrike "Rea" Wundrak Lippner:

Moved: Signorino Seconded: Dale
Voted Aye: Erik, Erk, Dale, Signorino, Horton
Voted Nay: Hensley
Abstain:
Motion carried.

Agenda No. XIV

Adjournment

There being no further business to come before the Council, the Township Council adjourned the meeting at 11: 28 p.m.

Moved: Signorino Seconded: Dale
Voted Aye: All in favor
Voted Nay: None.
Motion carried.

Approved:

MAYOR BETTINA BIERI, PRESIDING OFFICER

ANTOINETTE BATTAGLIA, TOWNSHIP CLERK